

GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Police Department – Sanction of Compensation amount of Rs.99,948-00 in MVOP No.168/2004 filed by Smt.Jainath Begum as an advance from the Contingency Fund – Orders – Issued.

HOME (WNT) DEPARTMENT

G.O.Rt.No. 55

Dated: 11-1-2010.

Read the following:

1. From the DGP, Lr.Rc.No.793/U3/2007, dated.16-07-2008.
2. Govt.Memo.No.22358/WNT/A1/08-1, dated 28-7-2008 & 9-1-2009.
3. From the DGP, Lr.Rc.No.797/U3/2006, dated 24-3-2009 & 20-10-2009.

ORDER:

The Director General of Police, Andhra Pradesh, Hyderabad vide reference 1st read above has stated that on 12-11-2003 the deceased Mohd. Moosad Ali Khan, S/o Mohd. Muzafar Ali Khan was going on a scooter bearing No. AP-12-D-1583 from Mehdipatnam to Lakdikapool. On reaching Masab Tank fly over, one van bearing No. AP-9-P-2513, coming in opposite direction being driven in a rash and negligent manner, dashed against the deceased. As a result, the deceased sustained severe head injury with profused bleeding and was shifted to NIMS for treatment, where he died while undergoing treatment. A case in Crime No.425/2003 under section 304-A IPC was registered in Humayunnagar PS. The Petitioner Smt Jainath Begum filed a petition u/s 304-A of IPC for sanction of compensation of Rs.2.00 lakhs in MVOP No.168/2004 on the file of VIII Addl.Chief Judge, City Civil Court, Hyd.

2. The Hon'ble Court of IV Addl. Metropolitan Sessions Judge-Cum-XVIII Addl. Chief Judge, Hyd in its judgment dated 6-7-2007 awarded compensation of an amount of Rs.70,000/- against the claim of Rs. 2.00 lakhs with proportionate costs with the interest @ 7.5% p.a from the date of petition till the date of realization.

3. Further the Director General of Police, Andhra Pradesh, Hyderabad vide reference 3rd read above, has stated that the Government Pleader, City Civil Court Hyderabad District in his letter dated 14-2-2009 has opined that the order is reasonable and relates to case of death of 2003, order dated 6-7-2007 **in his opinion is reasonable and Government may not succeed even if gone for appeal and requested to arrange for the payment of the order amount with interest and proportionate costs at an early date to avoid further litigation.** Further, the Commandant, 8th Bn.APSP in his proceedings dated 23-10-2004, has stated that the accident is due to circumstances beyond the driver's control, and hence further action against the driver of the vehicle has been dropped. The total compensation amount to be deposited in the case is worked out as follows:

	Amount in Rs.
Decretal amount	70,000-00
Interest amount @7.5% per annum form 23-12-2003 to 30-4-2009	28,565-00
Proportionate costs	383-00
Advocate fee	1,000-00
Total:	99,948-00

4. The Director General of Police, Andhra Pradesh, Hyderabad has requested to accord administrative sanction for an amount of Rs.99,948/- (Rupees Ninty Nine Thousand Nine Hundred and Forty Eighty Only) towards compensation with interest in MVOP No.168/2004 filed by Smt Jainath Begum to provide the funds by way of advance from the Contingency Fund of Andhra Pradesh.

5. Government after careful examination hereby accord sanction the compensation of an amount of Rs.99,948/- (Rupees Ninty Nine Thousand Nine Hundred and Forty Eighty Only) to the Director General of Police, Andhra Pradesh, Hyderabad towards compensation with interest in MVOP No.168/2004 filed by Smt Jainath Begum.

6. The expenditure sanctioned in para (5) above shall be debited to the Head of Account "2055 Police – MH 001 – Direction and Administration SH (01) – Head Quarter Office 500- Other Charge/501 – Compensation (charged)" and shall initially be met by way of an advance from the Contingency Fund, orders regarding which will be issued by Finance (BG.I) Department, separately.

7. The Director General of Police, Andhra Pradesh, Hyderabad is requested to take necessary action in the matter.

8. The Director General of Police, Hyderabad is also requested to submit necessary proposals for obtaining Supplementary Grant towards recoupment of advance from the Contingency Fund at an appropriate time during the Financial year 2009-2010.

9. This order issues with the concurrence of Finance (Exp.Home) Department, vide their U.O.No.32611/526/A1/Expp.Home/09, dated 31-12-2009.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

P.GAUTAM KUMAR
PRINICIPAL SECRETARY TO GOVERNMENT.

To
The Director General of Police, Andhra Pradesh, Hyderabad.
The Accountant General, Andhra Pradesh, Hyderabad.
The Pay and Accounts Officer, Hyderabad .
The Finance (Exp.Home) Department.
SF/SC.

//FORWARDED:: BY ORDER//

SECTION OFFICER.